

BURR & FORMAN LLP
420 North 20th Street
Suite 3100
Birmingham, Alabama 35203
(205) 251-3000
Michael Leo Hall

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re : Chapter 11
:
DELPHI CORPORATION et al., : Case No. 05-44481 (RDD)
:
Debtors. : (Jointly Administered)

AMENDED VERIFIED FEDERAL BANKRUPTCY RULE OF PROCEDURE 2019
STATEMENT OF BURR & FORMAN LLP

Pursuant to Federal Rule of Bankruptcy Procedure 2019, Burr & Forman LLP (“Burr & Forman”) submits this verified statement and represents as follows:

1. Burr & Forman LLP currently represents the following creditors and parties-in-interest in the above-styled case:

- (a) Mercedes-Benz U.S. International, Inc. (“MBUSI”)
1 Mercedes Drive
Vance, AL 35490
- (b) Wachovia Bank (“Wachovia”)
420 North 20th Street, 7th Floor
Birmingham, AL 35203
- (c) Futaba Corporation of America (“FCA”)
2865 Wall Triana Hwy.
Huntsville, AL 35824

2. FCA is a supplier to one or more of the Debtors. FCA and its affiliates are owed in excess of \$6,600,000 for goods shipped to the Debtors pre-petition.

3. MBUSI is a customer of one or more of the Debtors and holds valid rights of setoff and/or recoupment against the Debtors. MBUSI has (i) ripened warranty claims for products received by MBUSI pre-petition under its supply agreement(s) with a Delphi entity, or entities, in the amount of \$257,360.28; (ii) breach of contract damages in the amount of \$156,824.25, resulting from the shutdown of the manufacturing lines at MBUSI's manufacturing facility in Vance, Alabama on August 26, 2005 and October 7, 2005 due to a Delphi entity's, or entities', failure to timely and fully supply products as required; and (iii) un-ripe pre-petition warranty claims in an unliquidated amount.

4. Wachovia holds pre-petition claims against certain of the Debtors for misrepresentation, suppression, conspiracy, breach of contract, interference with business relationship, breach of duty of good faith and fair dealing, negligence, and promissory estoppel in the amount of \$6,656,624.92 as of the petition date, plus accruing interest, costs, and attorneys fees.

5. Burr & Forman is representing each of the listed parties-in-interest individually in the Debtors' cases; the clients do not compromise a committee.

6. Burr & Forman has no written contracts with the entities described in paragraph 1, other than ordinary retainer/engagement letters.

7. Burr & Forman does not hold any claim against, or equity interest in, the Debtors.

8. Burr & Forman hereby expressly reserves the right to supplement and/or amend this statement in any respect.

I verify under penalty of perjury that the foregoing is true and correct.

Dated: Birmingham, Alabama
November 29, 2006

BURR & FORMAN LLP

By: /s/ Michael Leo Hall
Michael Leo Hall

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Attorneys for Creditor
MERCEDES-BENZ U.S. INTERNATIONAL, INC.

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document by transmitting a copy by means of overnight mail, by placing same in a sealed envelope with account number affixed thereto and marked "overnight priority," addressed to each of the persons listed in the "Master Service List" dated November 28, 2006, and causing same to be placed into an official depository of Federal Express located within the State of Alabama. I further served the foregoing by electronic mail, or U.S. mail where an e-mail address was not provided, on all those persons listed in the "2002 List" dated November 28, 2006.

Dated: November 29, 2006
Birmingham, Alabama

BURR & FORMAN LLP

By: /s/ Michael Leo Hall
Michael Leo Hall

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